



APPENDIX

Section 35 (A) of the Criminal Code (18 U. S. C. 80) provides in pertinent part:

* * * whoever shall knowingly and willfully falsify or conceal or cover up by any trick, scheme, or device a material fact, or make or cause to be made any false or fraudulent statements or representations, or make * * * or cause to be made or used any false * * * certificate * * *, knowing the same to contain any fraudulent or fictitious statement or entry in any matter within the jurisdiction of any department or agency of the United States * * * shall be fined not more than \$10,000 or imprisoned not more than ten years, or both.

Ration Order No. 3 (7 F. R. 2966) provides in pertinent part:

INSTITUTIONAL AND INDUSTRIAL USERS

§ 1407.81 *Registering unit.* As used in §§ 1407.82-1407.94, such registering unit refers to the institutional or industrial users which are included within such registering unit.

§ 1407.82 *Prohibited deliveries.* On and after April 28, 1941, notwithstanding the terms of any contract, agreement, or commitment, regardless of when made, no person shall make delivery of sugar to any registering unit, and no registering unit shall accept delivery of sugar from any

person except upon the surrender to such person by the registering unit pursuant to Rationing Order No. 3 of a Certificate having a total weight value equal to the quantity of sugar so delivered; except that any sugar which at the time of registration has been included in present inventory pursuant to § 1407.84 may be received without the surrender of Certificates.

§ 1407.83 *Registration.* (a) Registration shall be made on April 28 or 29, 1942, for each registering unit upon OPA Form No. R-310 (Registration of Institutional and Industrial Users) at a registration site designated for the area in which the principal business office of the owner is located.

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§ 1407.84 *Present inventory.* The present inventory of a registering unit is the aggregate of all sugar in the possession of, or intended to be used by, the registering unit, to which, at the time of registration, the owner of the registering unit has title or holds documents of title, or which was in transit or stored for delivery to the registering unit and out of the possession of the vendor, prior to April 28, 1942. The owner shall be deemed to have title to sugar regardless of the fact that it may have been mortgaged, pledged, or otherwise used as security in a credit transaction, or that its use may have been prohibited by any order of the War Production Board. Every person who owns one or more registering units must include all sugar to which he has title (except sugar held for personal use and sugar in the possession of his vendor) in the present inventories of such register-

ing units, allocating such sugar among those of his registering units as he selects.

§ 1407.85 *Sugar base.* (a) The sugar base for a registering unit proposing to use sugar for any product or purpose other than the products or purposes set forth in § 1407.241, Schedule A of Rationing Order No. 3, is, for any month, the amount of sugar used by the registering unit for such product or purpose during the corresponding month of 1941.

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(e) The information necessary to compute the sugar base of the registering unit in accordance with the provisions of this section shall be entered on Schedule I of OPA Form No. R-310 (Registration of Institutional and Industrial Users).

§ 1407.86 *Allotment.* (a) A registering unit which uses sugar for any of the purposes not enumerated in § 1407.241, Schedule A of Rationing Order No. 3, and which has established a sugar base by registration on OPA Form No. R-310, is eligible for an amount of sugar for each of such purposes which is known as an allotment. The amount of an allotment for each period for which application is made shall be the applicable percentage specified in § 1407.242, Schedule B of Rationing Order No. 3, of the sugar base.

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RETAILERS AND WHOLESALERS

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§ 1407.102 *Prohibited deliveries.* On and after April 28, 1942, notwithstanding the terms of any contract, agreement, or commitment, regardless of when made, no

person shall make delivery of sugar to any registering unit and no registering unit shall accept delivery of sugar from any person except upon the surrender to such person by the registering unit, pursuant to Rationing Order No. 3, of Certificates or Stamps having a total weight value equal to the quantity of sugar so delivered; except that any sugar which at the time of registration has been included in present inventory pursuant to § 1407.104, may be received without the surrender of Certificates or Stamps. On and after April 28, 1942, no registering unit shall accept delivery of any sugar and no registering unit shall make delivery of any sugar until it has been registered pursuant to the provisions of § 1407.103 of Rationing Order No. 3.

§ 1407.103 *Registration and application: Eligibility.* (a) Registration and application for Certificates shall be made on April 28 or 29, 1942, for each registering unit upon OPA Form No. R-305 (Registration of Retailers and Wholesalers), at a registration site designated for the area in which the principal business office of the owner is located: * * *.

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§ 1407.104 *Present inventory.* * * * Every person who owns one or more registering units must include all sugar to which he has title (except sugar held for personal use and sugar in the possession of his vendor) in the present inventories of such registering units, allocating such sugar among those of his registering units as he selects.

§ 1407.105 *Allowable inventory.* (a) A registering unit is permitted to obtain a

working inventory of sugar which shall be known as the allowable inventory.

(b) The amount of the allowable inventory for a registering unit registering as a retailer is the quantity equal to one pound for each dollar of gross sales of all meats, groceries, fruits, vegetables, and similar products made during the week ending April 25, 1942 (or, if the component establishment began operations after April 20, 1942, the estimated sales for the first complete calendar week of operations), or one-quarter of the sugar delivered to and accepted by the registering unit during the month of November 1941, whichever is smaller: *Provided*, that if the component establishment was not in operation during the full month of November 1941, or if the information concerning the quantity delivered to and accepted by the registering unit during November 1941 cannot be ascertained, the allowable inventory shall be computed solely on the basis of the aforementioned gross sales.

(c) The allowable inventory of a registering unit registered as a wholesaler is the quantity of sugar equal to the total obtained by taking the quotient arrived at by dividing the amount of sugar delivered to the registering unit in 1941 by twice the number of months it made deliveries of sugar during 1941, and adding thereto the quantity of sugar equal to the shipping unit by which the registering unit customarily took delivery of sugar on or about December 1, 1941.

§ 1407.106 *Issuance of Certificates at registration.* If the present inventory of

the registering unit is less than the allowable inventory, a Certificate shall be issued by the Registrar to the registering unit in the amount applied for; in no event, however, shall the amount applied for be greater than the difference between the allowable inventory and the present inventory. If application is made for a Certificate in weight value less than the maximum for which such application may be made, the allowable inventory shall be reduced by the amount by which the maximum weight value for which application could be made exceeded the weight value of the Certificate applied for.

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